

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED

IN RE:

: Case No. 24-21091-GLT

:

2024 NOV -6 A 9:51

FINISH ROBOTICS, INC.,

: Chapter 7

:

Debtor.

:

CLERK
U.S. BANKRUPTCY COURT
PITTSBURGH

: Related Claim No. 9 and 11

:

:

:

MICHAEL DONOHUE,

: Hearing Date: 12/5/2024

: Hearing Time: 10:00 AM

Movant,

:

:

v.

:

:

FI FUND I, A SERIES OF

:

99 TARTANS, LP,

:

:

Respondent.

:

OBJECTION TO PROOFS OF CLAIM

NOW COMES Michael Donohue, a creditor in the above-captioned case

("Movant"), pro se, and files this Objection to Proofs of Claim Nos. 9

and 11 filed by FI Fund I, a Series of 99 Tartans, LP ("Respondent"),

and in support thereof, states as follows:

FACTUAL BACKGROUND

1. On May 3, 2024, Finish Robotics, Inc. (the "Debtor") filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.

2. Movant is a creditor of the Debtor, as transferee of claim 4.

3. On August 21, 2024, Respondent filed Proof of Claim No. 9 in the amount of \$186,378.00. Supporting documentation is a Promissory

Convertible Note dated August 2, 2023 with a principal amount of \$168,595.00.

4. On August 27, 2024, Respondent filed Proof of Claim No. 11 in the amount of \$181,066.41. Supporting documentation is a Promissory Convertible Note with an incomplete date, appearing to be drafted in July 2023, with a principal amount of \$168,595.00.

5. The amount claimed in Proof of Claim No. 11 consists of \$168,595.00 in principal and \$12,471.41 in accrued interest. The exact dates used for this interest calculation were not provided.

6. On information and belief:

a. Respondent previously invested \$204,595.00 in the Debtor, with a deposit made to Debtor's account on May 13, 2022.

b. On or about November 29, 2022, Respondent filed a lawsuit against Ricky Houghton personally, seeking return of the full investment amount (Case ID GD-22-014492, Allegheny County, Pennsylvania).

c. Debtor recorded a payment of \$36,000 to Respondent on August 1, 2023.

d. The aforementioned lawsuit changed to Discontinued status as of August 7, 2023.

e. The proof of claim shows an initial principal amount of \$36,000 less than the investment made in May 2022.

7. On information and belief, the transaction log of Debtor's Brex account, attached hereto as Exhibit A, does not show any payment in the amount of \$168,595.00 as listed in the proofs of claim, nor any incoming transfers from Respondent around the time of the dates on the proofs of claim filed.

GROUND FOR OBJECTION

8. The Claims should be disallowed for the following reasons:

First Ground: Duplicate Claims

a. Claims No. 9 and 11 appear to be for the same debt, as evidenced by:

- i. Both claims list the same principal amount of \$168,595.00
- ii. Both claims reference promissory notes from approximately the same time period

b. The filing of duplicate claims is improper and may lead to the Respondent potentially receiving double payment for the same debt, which would be detrimental to other creditors.

Second Ground: Lack of Consideration

c. Respondent never paid the initial principal amount of the alleged debt based on the documents filed.

d. If Respondent intended to connect these claims to an amended investment from May 2022, the provided proof is insufficient, as:

- i. The original agreement was not provided

ii. The agreement that led to the \$36,000 return payment was not provided for other creditors to inspect

LEGAL ARGUMENT

9. Under basic contract law, a valid contract requires consideration from both parties. Consideration is something of value given by both parties to a contract that induces them to enter into the agreement. In this case, if the creditor never paid the initial principal, there was no consideration provided, and thus no valid contract was formed.

10. Additionally, the filing of duplicate claims against a bankruptcy estate is improper and should be disallowed to prevent double recovery and ensure equitable distribution among creditors.

RELIEF REQUESTED

WHEREFORE, Movant respectfully requests that this Court enter an order:

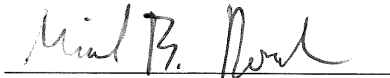
A. Sustaining this Objection;

B. Disallowing Claim No. 9 as duplicative of Claim No. 11;

C. Disallowing Claim No. 11 in its entirety for lack of consideration;
and

D. Granting such other and further relief as the Court deems just and proper.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael B. Donohue", written over a horizontal line.

Michael Donohue, pro se

c/o Jordan Park Group LLC
100 Pine St, Suite 2600
San Francisco, CA 94111

415-851-5894
michael.donohue@gmail.com

Date: October 30, 2024

EXHIBIT A

Transaction log of Debtor's Brex account from July 1, 2023 to September 30, 2023.

Date	To/From	Amount	Balance	Memo	External Memo	Originator Identific	Initiated By	Method	Status
9/30/23	Brex Card	-2058.78	50345.95		TAX 150775	6semjv8731g	Brex	Card payer	Complete
9/28/23	GUSTO	-2131.56	52404.73		NET 150813	6semjv8731f		ACH	Complete
9/28/23	GUSTO	-3705.35	54536.29		CND 138020	6semjv8af1d		ACH	Complete
9/27/23	GUSTO	-5000	58241.64		CND 138020	6semjv8ae7c		ACH	Complete
9/27/23	GUSTO	-6250	63241.64		DEBCARDTX	FR4095872194095		ACH	Complete
9/26/23	PRIMEPAY	-15	69491.64		DIRECT DEB	SCI		ACH	Complete
9/21/23	CHUBB-SCI	-2719.45	69506.64		Terex Reimbursement		Colleen Faller	ACH return	Complete
9/19/23	Carcharodon LLC	1611.08	72226.09		P/R CONTR			ACH	Complete
9/19/23	SSBTRUSTOPS	-1314.58	70615.01		DEBCARDTX	FR4095872194095		ACH	Complete
9/19/23	PRIMEPAY	-17.28	71929.59		rent september		Colleen F	Check	Complete
9/19/23	Lone Oak Technology, LLC	-4200	71946.87		Terex Reimbursement		Colleen Faller	Check	Complete
9/18/23	Carcharodon LLC	-1611.08	76146.87		September payment		Colleen F	Check	Complete
9/18/23	Robert Myer	-2000	77757.95	Patent Help	Finish Robotics 815		Colleen Faller	Check	Complete
9/15/23	Karen T.W. Sutton	-3215	79757.95		TAX 808062	6semjv4tf9m		ACH	Complete
9/14/23	GUSTO	-2131.58	82972.95		NET 807837	6semjv4tf9l		ACH	Complete
9/14/23	GUSTO	-3705.34	85104.53		DEBCARDTX	FR4095872194095		ACH	Complete
9/14/23	PRIMEPAY	-14.23	88809.87		INVOICE	00000tWzhAAE001		ACH	Complete
9/11/23	PRIMEPAY INVOICE	-50	88824.1		ROCKY CHERRY			Wire	Complete
9/6/23	ZR INVESTMENTS LLC	25000	88874.1		FEE 643599	6semjv35570		ACH	Complete
9/6/23	GUSTO	-210.79	63874.1		P/R CONTR			ACH	Complete
9/6/23	SSBTRUSTOPS	-1314.58	64084.89		GUIDELINE	ST-D6G5LBQ8U4H2		ACH	Complete
9/6/23	GUIDELINE RETIRE	-65	65399.47		NET 456158	6semjv0vtua		ACH	Complete
8/30/23	GUSTO	-3705.36	65464.47		TAX 456123	6semjv0vtub		ACH	Complete
8/30/23	GUSTO	-2131.54	69169.83				Brex	Card payer	Complete
8/30/23	Brex Card	-3036.06	71301.37		CND 435581	6semjv14129		ACH	Complete
8/29/23	GUSTO	-6250	74337.43					ACH	Complete
8/25/23	Carcharodon LLC	-694	80587.43		Finish Robotics INV 7345481		Colleen Faller	Check	Complete
8/23/23	Terex USA, LLC	1	81281.43		DEBCARDTX	FR4095872194095	Colleen Faller	ACH return	Complete
8/23/23	PRIMEPAY	-37.17	81280.43		Finish Robotics INV 73454		Colleen Faller	ACH	Complete
8/22/23	Terex USA, LLC	-1	81317.6	Finish Robotics INV 73454			Colleen Faller	ACH	Complete
8/22/23	Reed Smith LLP	-2500	81318.6		Finish Robotics Payment- please put this		Colleen Faller	ACH	Complete
8/21/23	SSBTRUSTOPS	-1314.58	83818.6		P/R CONTR		Colleen Faller	ACH	Complete
8/17/23	EFD - NASAA	-985	85133.18		EFD FILING	780829		ACH	Complete
8/16/23	Lone Oak Technology, LLC	-4000	86118.18		august rent		Colleen Faller	Check	Complete
8/16/23	Reed Smith LLP	-2500	90118.18		Finish Robotics payment		Colleen Faller	Check	Complete
8/15/23	SSBTRUSTOPS	-636	92618.18		P/R CONTR			ACH	Complete
8/14/23	Karen T.W. Sutton	-1400	93254.18		TAX 101963	6semjusr2rq	Colleen Faller	Check	Complete
8/14/23	GUSTO	-2131.56	94654.18		NET 104115	6semjusr2rp		ACH	Complete
8/14/23	GUSTO	-3705.35	96785.74		DEBCARDTX	FR4095872194095		ACH	Complete
8/14/23	PRIMEPAY	-251	100491.09		DEBCARDTX	FR4095872194095		ACH	Complete
8/11/23	PRIMEPAY	-19.99	100742.09					ACH	Complete

8/10/23 GUSTO	-1406.46	100762.08	NET 006339	6semjusr30o	ACH	Complete
8/10/23 PRIMEPAY INVOICE	-50	102168.54	INVOICE	00000Fn8AAE001	ACH	Complete
8/10/23 GUSTO	-738.7	102218.54	TAX 006532	6semjusr30p	ACH	Complete
8/7/23 Premium S.A.	-1384.37	102957.24	Finish Robotics- 7123T - ODS-1500 24Vdc Colleen Faller	Wire	ACH	Complete
8/7/23 GUIDELINE RETIRE	-65	104341.61	GUIDELINE	ST-B1F3W1K1F0U4	ACH	Complete
8/4/23 GUSTO	-197.95	104406.61	FEE 936864	6semjusr171v	ACH	Complete
8/4/23 SSBTRUSTOPS	-68.15	104604.56	P/R CONTR		ACH	Complete
8/3/23 MAGNESIUM VENTURES, U	75000	104672.71	incoming transfer from MAGNESIUM VENTURES, LLC		Wire	Complete
8/1/23 99 Tartans	-36000	29672.71	99T Settlement	Ricky Houghto	Wire	Complete
8/1/23 HIGHMARK	-3261.36	65672.71	EDI PAYMTS	39906395	ACH	Complete
8/1/23 HIGHMARK	-3261.36	68934.07	EDI PAYMTS	39907377	ACH	Complete
8/1/23 PRIMEPAY	-34.52	72195.43	DEBCARDTX	FR4095872194095	ACH	Complete
7/31/23 ANDREW J KUZNESKI	24500	72229.95	incoming transfer from ANDREW J KUZNESKI		Wire	Complete
7/31/23 MICHELLE L GALLUZZO	10000	47729.95	TOM GALLUZZO		Wire	Complete
7/28/23 EDWARD R ENGLER	32500	37729.95	INVESTING INTO BUSINESS		Wire	Complete
7/28/23 GUSTO	-176.59	5229.95	TAX 732310	6semjupae46v	ACH	Complete
7/28/23 GUSTO	-600.69	5406.54	NET 732294	6semjupae46u	ACH	Complete
7/26/23 Lone Oak Technology LLC	-4000	6007.23	Finish Robotics Rent July	Colleen Faller	Wire	Complete
7/26/23 ANDREW J KUZNESKI	8000	10007.23	incoming transfer from ANDREW J KUZNESKI		Wire	Complete
7/26/23 PRIMEPAY	-60	2007.23	DEBCARDTX	FR4095872194095	ACH	Complete
7/25/23 PRIMEPAY	-156.38	2067.23	DEBCARDTX	FR4095872194095	ACH	Complete
7/21/23 HIGHMARK	-3261.36		EDI PAYMTS	39775973	ACH	Insufficient funds
7/18/23 SSBTRUSTOPS	-54.52	2223.61	P/R CONTR		ACH	Complete
7/17/23 PRIMEPAY	-60	2278.13	DEBCARDTX	FR4095872194095	ACH	Complete
7/13/23 GUSTO	-491.94	2338.13	NET 349923	6semjuldrrh5	ACH	Complete
7/13/23 GUSTO	-129.89	2830.07	TAX 349748	6semjuldrrh6	ACH	Complete
7/12/23 PRIMEPAY	-157.86	2959.96	DEBCARDTX	FR4095872194095	ACH	Complete
7/10/23 PRIMEPAY INVOICE	-50	3117.82	INVOICE	000007HSAAY001	ACH	Complete
7/7/23 GUSTO	-34.89	3167.82	TAX 256840	6semjulkrg3	ACH	Complete
7/6/23 GUSTO	-197.95	3202.71	FEE 179792	6semjulk5kvl	ACH	Complete
7/6/23 GUIDELINE RETIRE	-65	3400.66	GUIDELINE	ST-S4D2O9O9Q1W3	ACH	Complete
7/5/23 CHUBB-SCI	-401.04	3465.66	INS.PREM	SCI	ACH	Complete
7/5/23 SSBTRUSTOPS	-77.89	3866.7	P/R CONTR		ACH	Complete
7/5/23 PRIMEPAY	-75	3944.59	DEBCARDTX	FR4095872194095	ACH	Complete

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October, 2024, I caused a true and correct copy of the foregoing Objection to Proofs of Claim to be served via First Class mail upon the following:

FI Fund I, a Series of 99 Tartans, LP
P.O. Box 3217
Seattle, WA 98114

Finish Robotics, Inc.
12 South Avenue
Sewickley, PA 15143

Jeanne S. Lofgren
Campbell & Levine, LLC
310 Grant Street
Suite 1700
Pittsburgh, PA 15219

Crystal H. Thornton-Illar, Trustee
LEECHTISHMAN
525 William Penn Place
28th Floor
Pittsburgh, PA 15219

Office of the United States Trustee
1000 Liberty Avenue
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Pittsburgh, PA 15222

A handwritten signature in black ink, appearing to read "Michael B. Donohue", written over a horizontal line.

Michael Donohue, Pro Se